

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3-4, and 6-11 are pending in the present application. Claims 1, 4 and 6 are amended and Claims 8-11 are added, support for which is found in the original claims and Figs. 20-22. No new matter has been added.

In the outstanding Office Action, Claims 1, 3, 4 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over JP 2000-05973 (Okose) in view of U.S. Pat. No. 7,386,218 (Temple); and Claim 7 rejected was under 35 U.S.C. §103(a) as being unpatentable over Okose in view of Temple and further in view of JP 2001-092575 (Yoshikawa).

Okose describes a DVD authoring system. Specifically, content of a DVD format is converted to a MPEG system. An edit control part (109) performs editing produced by an added information generating part (110). In this way, time code information embedded in the DVD format data is utilized in the MPEG stream.

As noted in the Official Action at page 3, Okose does not describe generating menu information based upon acquired time information. In this regard, the Official Action cites the Temple reference.

Specifically, the Official Action states that Temple describes chapters being made using an absolute time information of a digital video or a user specified time information.

In an exemplary embodiment of Applicant's claimed advancements, a menu of content data acquired by content data acquisition is generated based on relative time information and user specified time information. For example, as shown in Figure 20, a chapter menu may be generated based upon the relative time information retrieved from content data in the first format. Likewise, as explained in Figure 19 (S111-S116) a user may alter the timing of the menu items.

Temple, however, merely describes a system in which “[t]he DV specification provides for absolute time information along with the recorded video. When video is recorded in discontinuous time segments, the gap in the time information can be used to determine the Video CD chapter points.”¹ Further, Temple describes a system where:

“Digital video includes recorded video and absolute time information of the recorded video. In addition, for digital video input, creating the chapter breaks the DV time stamp information can be used for defining a chapter by the occurrence of first and second discontinuous time segments. Furthermore, the first and second discontinuous time segments can comprise consecutive occurring discontinuous time segments and wherein the first and second discontinuous time segments comprise discontinuous time segments greater than a prescribed threshold discontinuous time segment.”²

In particular, Temple records the absolute time and appends the same to the digital video. Thus, a chapter can be defined by the discontinuity.

On the other hand, amended Claim 1 recites in part:

“information acquisition means for acquiring relative time information of said content data from said content data acquired by said content data acquisition means, **said relative time information defining timing of a recording start time of a first portion of the content data relative to a recording start time of a second portion of the content data which is subsequent to the first portion; [and]**

generation means for generating a menu of said content data acquired by said content data acquisition means based on said relative time information and a predetermined time information, said generation means generating a menu entry for the first portion and **generating a menu entry for the second portion when the recording start time of the second portion differs from the recording start time of the first portion by at least said predetermined time information.**”

Thus, Temple fails to describe “generating a menu entry for the second portion if the recording start time of the second portion differs from the recording start time of the first portion by at least said predetermined time information,” as recited in amended Claim 1.

Although directed at a different statutory class and varying in scope, amended Claim 6 recites features similar to those noted above in amended Claim 1. None of the other cited references

¹ Temple, Col. 4, l. 13-17.

² Temple, Col. 4, l. 46-56.

overcome the above-noted deficiencies of Temple. Consequently, it is respectfully submitted the amended claims overcome the rejections under 35 U.S.C. §103.

Moreover, Temple is silent regarding defining a predetermined time information as including “a change in date,” as defined in Claims 8 and 10, or “a time duration of 10 minutes,” as defined in Claims 9 and 11. None of the other cited references overcome the above-noted deficiencies of Temple. Therefore, it is respectfully submitted that Claims 8-11 are further allowable over the cited references by virtue of these features.

Consequently, in view of the foregoing amendment and remarks, Applicant respectfully submits that this application is in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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